

§266.—Existing suits. Examination of debtors of judgment debtor, or of those having property belonging to him. Joint debtor.

After the issuing or return of an execution against property of the judgment debtor, or of any one of several debtors in the same judgment, and upon affidavit that any person or corporation has property of such judgment debtor, or is indebted to him in an amount exceeding ten dollars, the Judge may, by an order, require such person or corporation, or any officer or member thereof, to appear at a specified time and place, and answer concerning the same. The Judge may also, in his discretion, require notice of such proceeding to be given to any party to the action, in such manner as may seem to him proper.

The proceedings mentioned in this section and in section two hundred and sixty-four may be taken upon the return of an execution unsatisfied, issued upon a judgment recovered in an action against joint debtors, in which some of the defendants have not been served with the summons by which said action was commenced, so far as relates to the joint property of such debtors; and all actions by creditors to obtain satisfaction of judgments out of the property of joint debtors are maintainable in the like manner and to the like effect. These provisions shall apply to all proceedings and actions now pending, and not actually terminated by any final judgment or decree, and not embraced in the Ordinance of the Convention of this State, entitled "An Ordinance respecting the Jurisdiction of the Courts of this State," ratified fourteenth day of March 1868.

§267.—Existing suits. Witnesses required to testify.

Witnesses may be required to appear and testify on any proceedings under this chapter, in the same manner as upon the trial of an issue.

§268.—Existing suit. Compelling party or witnesses to attend.

The party or witness may be required to attend before the Judge, or before a referee appointed by the court or Judge; if before a referee, the examination shall be taken by the